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**PATENT**  
Attorney Docket No. EMT-003  
(120418/159594)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Schneur et al.

SERIAL NUMBER: 10/081,411

ART UNIT: 3627

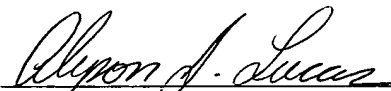
FILING DATE: February 20, 2002

EXAMINER: Lynda C. Jasmin

TITLE: AUCTION MANAGEMENT WITH BUSINESS VOLUME  
DISCOUNT

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

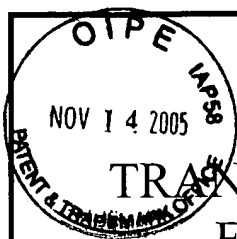
I hereby certify that this correspondence, and any documents referred to as enclosed herein, are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 9th day of November, 2005.

  
Alyson J. Lucas

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Submitted herewith are:

1. Transmittal Form (1 pg.);
2. Fee Transmittal Form (1 pg.);
3. Check No. 969116 in the amount of \$180.00;
4. First Information Disclosure Statement (2 pgs.);
5. First Form PTO 1449 (2 pg.);
6. Copies of IDS Citations (C1-C5); and
7. Return Receipt Postcard.



# TRANSMITTAL FORM

Application Serial Number	10/081,411
Filing Date	February 20, 2002
First Named Inventor	Schneur
Group Art Unit	3627
Examiner Name	Lynda C. Jasmin
Attorney Docket No.	EMT-003
Patent No.	Not applicable
Issue Date	Not applicable

## ENCLOSURES (check all that apply)


<input checked="" type="checkbox"/> Fee Transmittal Form (1 pg.) <input checked="" type="checkbox"/> Check No. 969116 in the amount of \$180.00 Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input type="checkbox"/> Petition for Extension of Time <input checked="" type="checkbox"/> First Information Disclosure Statement (2 pgs.) <input checked="" type="checkbox"/> First Form PTO-1449 (2 pg.) <input checked="" type="checkbox"/> Copies of IDS Citations (C1-C5) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 (1 pg.) <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below)
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## CORRESPONDENCE ADDRESS

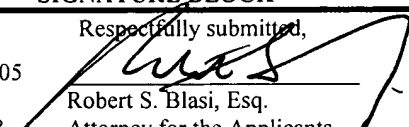
Direct all correspondence to: Patent Administrator  
Goodwin Procter LLP  
Exchange Place  
Boston, MA 02109  
Tel. No.: (617) 570-1000  
Fax No.: (617) 523-1231  
Customer No. 051414

## SIGNATURE BLOCK

Respectfully submitted,  
Date: November 9, 2005  
Reg. No. 50,389  
Tel. No.: (617) 570-1408  
Fax No.: (617) 523-1231  
Robert S. Blasi, Esq.  
Attorney for the Applicants  
Goodwin Procter LLP  
Exchange Place  
Boston, MA 02109

 <b>OFFICE TRANSMITTAL</b> NOV 14 2005 PATENT & TRADEMARK OFFICE	Complete if Known	
	Application Serial Number	10/081,411
	Filing Date	February 20, 2002
	First Named Inventor	Schneur
	Group Art Unit	3627
	Examiner Name	Lynda C. Jasmin
	Attorney Docket No.	EMT-003

METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																																
1. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other  2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 07-1700. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17.  <input checked="" type="checkbox"/> Overpayment Credit. 3. <input checked="" type="checkbox"/> Applicant claims small entity status.	<b>3. ADDITIONAL FEES</b> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity</th> <th style="text-align: left;">Small Entity</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: left;">Fee Paid</th> </tr> <tr> <th>Fee (\$)</th> <th>Fee (\$)</th> <th></th> <th></th> </tr> </thead> <tbody> <tr><td>130</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>50</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>130</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>2,520</td><td>2,520</td><td>Request for ex parte reexamination</td><td></td></tr> <tr><td>120</td><td>60</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>450</td><td>225</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1020</td><td>510</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1590</td><td>795</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>2160</td><td>1080</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>500</td><td>250</td><td>Notice of Appeal</td><td></td></tr> <tr><td>500</td><td>250</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1000</td><td>500</td><td>Request for oral hearing</td><td></td></tr> <tr><td>400</td><td>400</td><td>Petitions to the Commissioner (Gp. I)</td><td></td></tr> <tr><td>200</td><td>200</td><td>Petitions to the Commissioner (Gp. II)</td><td></td></tr> <tr><td>130</td><td>130</td><td>Petitions to the Commissioner (Gp. III)</td><td></td></tr> <tr><td>180</td><td>180</td><td>Submission of Information Disclosure Statement</td><td>180.00</td></tr> <tr><td>790</td><td>395</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>790</td><td>395</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>100</td><td>100</td><td>Certificate of Correction for applicant's error</td><td></td></tr> <tr><td>130</td><td>65</td><td>Submission of Terminal Disclaimer</td><td></td></tr> <tr><td colspan="2">Other fee (Specify) _____</td><td></td><td></td></tr> <tr><td colspan="2">Other fee (Specify) _____</td><td></td><td></td></tr> </tbody> </table> <div style="text-align: right;"> <b>SUBTOTAL (3)</b>      <b>(\$)</b> 180.00       </div> <div style="display: flex; justify-content: space-between;"> <div> <b>SUBTOTAL (1)</b>      <b>(\$)</b> 0.00  <b>SUBTOTAL (2)</b>      <b>(\$)</b> 0.00  <b>TOTAL</b>      <b>(\$)</b> 180.00       </div> </div>	Large Entity	Small Entity	Fee Description	Fee Paid	Fee (\$)	Fee (\$)			130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte reexamination		120	60	Extension for reply within first month		450	225	Extension for reply within second month		1020	510	Extension for reply within third month		1590	795	Extension for reply within fourth month		2160	1080	Extension for reply within fifth month		500	250	Notice of Appeal		500	250	Filing a brief in support of an appeal		1000	500	Request for oral hearing		400	400	Petitions to the Commissioner (Gp. I)		200	200	Petitions to the Commissioner (Gp. II)		130	130	Petitions to the Commissioner (Gp. III)		180	180	Submission of Information Disclosure Statement	180.00	790	395	Filing a submission after final rejection (37 CFR 1.129(a))		790	395	For each additional invention to be examined (37 CFR 1.129(b))		100	100	Certificate of Correction for applicant's error		130	65	Submission of Terminal Disclaimer		Other fee (Specify) _____				Other fee (Specify) _____			
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CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Goodwin Procter LLP Exchange Place Boston, MA 02109 Tel. No.: (617) 570-1000 Fax No.: (617) 523-1231 Customer No. 051414	Respectfully submitted,  Date: November 9, 2005 Reg. No.: 50,389 Tel. No.: (617) 570-1408 Fax No.: (617) 523-1231 Robert S. Blasi, Esq. Attorney for the Applicants Goodwin Procter LLP Exchange Place Boston, MA 02109



**PATENT**  
Attorney Docket No. EMT-003  
(120418/159594)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Schneur et al.  
SERIAL NO.: 10/081,411 GROUP NO.: 3627  
FILING DATE: February 20, 2002 EXAMINER: Lynda C. Jasmin  
TITLE: Auction Management With Business Volume Discount

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**FIRST INFORMATION DISCLOSURE STATEMENT**

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. In accordance with 37 C.F.R. 1.98(a)(2), only copies of the non-patent publications (C1-C5) are enclosed. The Examiner is also directed to the file wrappers for co-pending applications nos. 09/664,226, 10/831,969, and 09/999,670 for appropriate consideration.

**REMARKS**

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☐ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☒ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☒ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Fourth Form PTO-1449, and other information contained herein, be made of record in this application.

### STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

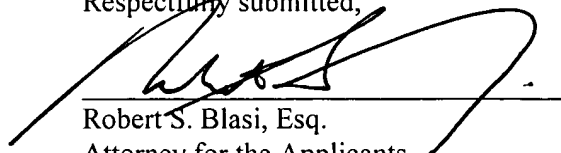
- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Date: November 9, 2005  
Reg. No. 50,389

Tel. No.: (617) 570-1408  
Fax No.: (617) 523-1231

VER 11/03

Respectfully submitted,

  
Robert S. Blasi, Esq.  
Attorney for the Applicants  
Goodwin Procter LLP  
Exchange Place  
Boston, Massachusetts 02109  
Customer No. 051414



FIRST FORM PTO - 1449

INFORMATION DISCLOSURE STATEMENT

ATTORNEY DOCKET NO.: EMT-003

APPLICANTS: Schnuer et al.

APPLICATION NO. 10/081,411

FILING DATE: February 20, 2002

ART UNIT: 3627

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A1	5,890,138	03/1999	Godin et al.	705	26	
	A2	6,012,045	1/4/00	Barzilai et al.	705	37	
	A3	6,058,379	05/2000	Odom et al.	705	37	
	A4	6,285,989	9/4/01	Shoham	705	37	8/7/98
	A5	6,260,024	07/2001	Shkedy, Gary	705	37	
	A6	6,366,891	04/2002	Feinberg, Donald A.	705	37	
	A7	6,415,270	07/2002	Rackson et al.	705	37	
	A8	6,449,601	09/2002	Friedland et al.	705	37	
	A9	6,584,451	6/24/03	Shoham et al.	705	26	3/26/99
	A10	6,647,373	11/11/03	Carlton-Foss	705	37	
	A11	6,606,603	8/12/03	Joseph et al.	705	26	3/26/99
	A12	6,871,191	03/2005	Kinney et al.	705	37	
	A13	2003/0028475	2/6/03	Boutilier et al.	705	37	8/2/02
	A14	2003/0195835	10/16/03	Sandholm et al.	705	37	9/25/02
	A15	2004/0010461	3/25/04	Boutilier	705	37	7/11/03
	A16	2004/0059664	3/25/04	Suri et al.	705	37	3/27/03
	A17	2004/0059665	3/25/04	Suri et al.	705	37	3/27/03

OTHER ART, JOURNAL ARTICLES, ETC.

EXAM. INIT.		OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)
	C1	Colbert, Ella. Office Action for U.S. Patent Application No. 09/664,226, mailed 9/12/05, pp. 1-16.
	C2	Colbert, Ella. Office Action for U.S. Patent Application No. 09/664,226, mailed 1/11/05, pp. 1-23.
	C3	Colbert, Ella. Office Action for U.S. Patent Application No. 09/664,226, mailed 7/7/04, pp. 1-25.
	C4	Akers, Geoffrey R. Office Action for U.S. Patent Application No. 09/664,226, mailed 9/26/03, pp. 1-7.

<b>FIRST FORM PTO - 1449</b> <b>INFORMATION DISCLOSURE STATEMENT</b>		ATTORNEY DOCKET NO.: EMT-003 APPLICANTS: Schnuer et al. APPLICATION NO. 10/081,411 FILING DATE: February 20, 2002 ART UNIT: 3627
	C5	Jérémie Gallien, "Optimization-Based Auctions and Stochastic Assembly Replenishment Policies For Industrial Procurement", PhD Thesis in Operations Research, Massachusetts Institute of Technology, June 2000.
EXAMINER		DATE CONSIDERED

LIBA/1582549.1